



(2) Donald John Trump engaged in insurrection;<sup>3</sup>

However, the Court, based on dubious semantics,<sup>4</sup> found:

(3) Section 3 of the 14th Amendment does not apply to the Office of the Presidency of the United States because the President is not an “officer of the United States.”<sup>5</sup>

COLORADO COURT FINDING IN RE “WE LOVE YOU. YOU’RE VERY SPECIAL.”

In Paragraph 187, the Colorado Court found that Defendant Donald John Trump “endorsed the actions of the mob trying to stop the peaceful transfer of power. It did not condemn the mob but instead sympathized with them and praised them.”

THE U.S. SUPREME COURT CONSIDERS THE PRESIDENT AN “OFFICER”

The U.S. Supreme Court, however, disagrees on the issue of whether the President of the United States and Commander-in-Chief of the United States Armed Forces is an “Officer of the United States.”

“The President is but the creature of the Constitution, one of the agencies created by it to carry it into practical operation; and it would be strange if [the President] should be permitted to exert his agency in violating that [Constitution], and then claim exemption from the process of the court whose duty it is to guard it against abuses, because he is the chief executive *officer* of the government.”<sup>6</sup> The wording of this case is eerily on-point and worth a second reading.

---

Congress has provided for them: the Federal Rules of Civil Procedure were adopted in 1938 and the Federal Rules of Evidence adopted in 1972. The federal judiciary has developed far beyond that which existed in 1869, which was Chief Justice Salmon P. Chase’s primary concern. Therefore, we now have a system to ensure effective results, proceedings, evidence, decisions, and enforcement of decisions. Chief Justice Salmon P. Chase’s only objections have been satisfied.

<sup>3</sup> “[T]he Court finds that Petitioners have established that Trump engaged in an insurrection on January 6, 2021 through incitement, and that the First Amendment does not protect Trump’s speech.” See Paragraph 298

<sup>4</sup> Grammar, the use of words and phrases, changes with time. For that reason, Plaintiff cites cases from the late 1800s to reveal that “officer of the United States” was intended to include the President. Moreover, Senate floor debates during the ratification of the Amendment also reveal the intent of the framers that the President was covered by Section 3 of the 14th Amendment. When one Senator objected and asked whether the Office of the Presidency was included, another Senator re-read “any office” after which the objecting Senator withdrew his objection.

<sup>5</sup> See Paragraph 313.

<sup>6</sup> *State of Mississippi v. Johnson*, 71 U.S. 475, 478–79 (1866).

The U.S. Supreme Court, on multiple occasions in the late 1800s, referred to “the President as chief executive *officer*.”<sup>7</sup> The “chief executive *officer* of this government, the president of the United States.”<sup>8</sup> The “chief executive *officer*, the president of the United States.”<sup>9</sup> “It must be presumed that he acted under the orders of his superior *officer*, the President.”<sup>10</sup>

Even as recently as 1982, the U.S. Supreme Court stated that the “President is the superior officer.”<sup>11</sup>

### **RELIEF REQUESTED**

Pursuant to Fed. R. Evid. 201, Plaintiff moves this Court to take formal judicial notice of these adjudicated facts.

Dated: November 19, 2023.

Respectfully submitted,

By: /s/ John Anthony Castro  
John Anthony Castro  
12 Park Place  
Mansfield, TX 76063  
(202) 594 – 4344  
J.Castro@JohnCastro.com  
**Plaintiff Pro Se**

---

<sup>7</sup> *Ex parte Milligan*, 71 U.S. 2, 18, 18 L. Ed. 281 (1866).

<sup>8</sup> *Hickory v. U.S.*, 151 U.S. 303, 313 (1894).

<sup>9</sup> *Starr v. U.S.*, 153 U.S. 614, 627 (1894).

<sup>10</sup> *Mechanics' & Traders' Bank v. Union Bank of La.*, 89 U.S. 276, 297 (1874).

<sup>11</sup> *Nixon v. Fitzgerald*, 457 U.S. 731, 774 (1982) (quoting 4 J. Elliot, *Debates on the Federal Constitution* 48 (1876 ed.)).

**VERIFICATION**

Pursuant to 28 U.S.C. § 1746, I John Anthony Castro, verify under penalty of perjury, that the all of the statements of fact and law herein are true and correct.

Executed on November 19, 2023.

/s/ John Anthony Castro  
John Anthony Castro

**CERTIFICATE OF SERVICE**

On November 19, 2023, I submitted the foregoing document with the Clerk of this Court either by mail, email, or CM/ECF. It is further certified that all other parties are registered CM/ECF users and will be served via that system.

/s/ John Anthony Castro  
John Anthony Castro